

Department of Environmental Protection and Sustainability
105 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 11-CO0016201

Richard Williams
7607 Reserve Circle
Apartment 103
Windsor Mill MD 21244

6725 Yatruba Drive

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on March 30, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-201, 313, failure to maintain in-ground swimming pool on residential property.

On March 30, 2011, pursuant to § 3-6-205, Baltimore County Code, Sanitarian Thalia V. Hall issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$15,000.00 (fifteen thousand dollars).

The following persons appeared for the Hearing and testified: Jessica K. Rokosz, Esquire representing Select Portfolio Servicing (now holding mortgage), of owner, Richard Williams, deceased, Thalia V. Hall, Sanitarian with the Environmental Health Division of The Department Of Environmental Protection and Sustainability (DEPS) and, Yvonne DeLoatch, Manager for the Environmental Health Division of DEPS.

Testimony was presented by Ms. Rokosz that upon the death of the owner Richard Williams, her company, as holder of the mortgage on the property, is taking steps to open an estate on his behalf for the purpose of foreclosing on the property, which is now vacant. She acknowledged the testimonial proffer that the site was suffering from serious neglect, including stagnant water in its swimming pool,

grass in need of cutting, weeds, trash and a general lack of maintenance. She stated that it was her company's intention to clean up the property and then foreclose.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$5,000.00 (five thousand dollars).

IT IS FURTHER ORDERED that the \$5,000.00 civil penalty be suspended.

IT IS FURTHER ORDERED that the suspended \$5,000.00 will be imposed if the property is not brought into compliance by May 31, 2011.

IT IS FURTHER ORDERED that the suspended \$5,000.00 will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 12th day of April 2011

Signed: ORIGINAL SIGNED
Lawrence M. Stahl
Managing Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.